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GONZALEZ; ROGER ARAMAYO; ISMAIL VENEGAS;  
CLEMENTE FRANCO; HECTOR PENA; PASCUAL  
TORRES; CAROL DEUPREE; JESSICA VIRAMONTES;  
JUAN SARINANA; ADRIANA ZUNIGA; PREM SARIN;  
DAVID BOUFFARD; and HECTOR SANCHEZ

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

TODD R. G. HILL,  
Plaintiff,

v.

THE BOARD OF DIRECTORS,  
OFFICERS AND AGENTS AND  
INDIVIDUALS OF THE PEOPLES  
COLLEGE OF LAW; et al.

Defendants.

Case No. 2:23-cv-01298-CV-BFMx

**OPPOSITION TO PLAINTIFF'S  
NOTICE OF PROCEDURAL  
MISREPRESENTATION, BAD  
FAITH LITIGATION, AND  
REQUEST FOR JUDICIAL NOTICE**

Judge: Josephine L. Staton  
Magistrate: Brianna Fuller Mircheff

TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR  
ATTORNEYS OF RECORD:

COMES NOW the Defendants COMES NOW the Defendants THE GUILD  
LAW SCHOOL DBA PEOPLE'S COLLEGE OF LAW, JOSHUA GILLENS,  
WILLIAM MAESTAS, BOARD OF DIRECTORS FOR THE PEOPLE'S  
COLLEGE OF LAW, CHRISTINA MARIN GONZALEZ; ROGER ARAMAYO;

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1 ISMAIL VENEGAS; CLEMENTE FRANCO; HECTOR PENA; PASCUAL  
2 TORRES; CAROL DEUPREE; JESSICA VIRAMONTES; JUAN SARINANA;  
3 ADRIANA ZUNIGA; PREM SARIN; DAVID BOUFFARD; and HECTOR  
4 SANCHEZ (hereinafter collectively referred to as “Defendants”) submit the  
5 following Opposition to Plaintiff’s Notice of Procedural Misrepresentation, Bad  
6 Faith Litigation, and Request for Judicial Notice of Case Management Statements to  
7 Re-Litigate Settled Issues.

8 DATED: March 27, 2025

HAIGHT BROWN & BONESTEEL LLP

9  
10 By: /s/ Jeffrey Kirwin

11 Yvette Davis

12 Arezoo Jamshidi

13 Jeffrey Kirwin

14 Attorneys for Defendants THE GUILD

15 LAW SCHOOL DBA PEOPLE’S

16 COLLEGE OF LAW, JOSHUA

17 GILLENS, WILLIAM MAESTAS,

18 BOARD OF DIRECTORS FOR THE

19 PEOPLE’S COLLEGE OF LAW,

20 CHRISTINA MARIN GONZALEZ;

21 ROGER ARAMAYO; ISMAIL

22 VENEGAS; CLEMENTE FRANCO;

23 HECTOR PENA; PASCUAL TORRES;

24 CAROL DEUPREE; JESSICA

25 VIRAMONTES; JUAN SARINANA;

26 ADRIANA ZUNIGA; PREM SARIN;

27 DAVID BOUFFARD; and HECTOR

28 SANCHEZ

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. Introduction**

Plaintiff Todd Hill’s (“Plaintiff”) frivolous and deceptive motion makes false allegations and improper requests without providing any basis for the included requests. The motion lacks a shred of foundation in law or fact. Instead, the motion includes a clear and obvious false allegation which Plaintiff asserts in order to make an inappropriate request of the Court.

**II. Statement of Facts**

Plaintiff bases its motion on his belief that Defendants’ Case Management Statement (“Statement”) argued that Plaintiff’s Third Amended Complaint did not comply with Rule 8. Specifically, Plaintiff’s motion stated that Defendants’ Statement asserted “Plaintiff’s TAC remains confusing and fails to conform with basic pleading standards.” (Plaintiff’s motion at 8:12). Plaintiff’s motion did not cite to the page/line of the Statement where the cited and bolded quote is pulled from. Plaintiff cannot cite to the page/line because Defendants’ statement does not include that sentence. Plaintiff fabricated the sentence to generate some reason to request the Court to take the following actions:

- Judicially notice the Magistrate’s report and recommendation states the Third Amended Complaint complies with Rule 8 (Plaintiff’s Motion at 13:2-3);
- Judicially notice Haight (the law firm representing the law school defendants) didn’t file an objection to the Magistrate’s report (Plaintiff’s Motion at 13:4-6);
- Judicially notice Defendants’ Statements continue to argue the Third Amended Complaint did not comply with Rule 8 (Plaintiff’s Motion at 13:7-10);
- Judicially notice the Statement demonstrates Defendants have previously advanced Rule 8 arguments (Plaintiff’s Motion at 14:5-8);

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- Issue an order prohibiting Defendants from further re-litigation Rule 8 compliance issues (Plaintiff's Motion at 14:9-10);
- Prohibit Defendants from raising Rule 8 arguments in objections or future filings (Plaintiff's Motion at 14:23-24 and 15:1-3);
- Impose sanctions on Defendants for misrepresentations and bad faith litigation which resulted in unnecessary motion practice (Plaintiff's Motion at 14:12-17);
- Order Defendants to engage in good faith pre-trial coordination and respond to discovery (Plaintiff's Motion at 14:12-17);
- Prohibit Defendants from using the status of the pleadings to delay discovery (Plaintiff's Motion at 15:7-8); and
- Order the commencement of discovery (Plaintiff's Motion at 15:13-14).

Given the requests are based on an a clear misrepresentation, the motion should be denied as to each request.

### **III. Plaintiff's Requests for Judicial Notice Must be Denied**

As an initial matter, Plaintiff's requests for judicial notice cannot be granted because they are based on Plaintiff's misrepresentation of Defendants' Statement. Further, the Federal Rules of Evidence ("FRE") provide that "may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court's territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. Rule 201(b) Under Fed. R. Evid. Rule 201(a), only "adjudicative" facts may be judicially noticed. An "adjudicative" fact is one that concerns the immediate parties: "who did what, where, when, how, and with what motive or intent..." *U.S. v. Gould*, 536 F.2d 216, 219 (8th Cir. 1976). The Court "must take judicial notice if a party requests it and the court is supplied with the necessary information." Fed. R.

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1 Evid. 201(c)(2). The Court cannot take judicial notice of a fact that is subject to  
2 reasonable dispute. *Lee v. City of L.A.*, F.3d 668, 689 (9th Cir. 2001).

3 Plaintiff request that the Court to judicially notice that Defendants' Statement  
4 continues to claim the Third Amended Complaint did not comply with Rule 8 and  
5 the Statement demonstrates Defendants have previously advanced Rule 8  
6 arguments. The alleged facts are subject to reasonable dispute and cannot be  
7 noticed. As explained above, Defendants' statement does not make a Rule 8  
8 argument and does not include the cited sentence. Therefore, the alleged facts is  
9 subject to reasonable dispute. Plaintiff's request that the Statement demonstrates  
10 Defendants have previously made Rule 8 Arguments is also subject to dispute.  
11 Although Defendants have certainly made Rule 8 arguments to Plaintiff's Amended  
12 Complaints, the Statement does not demonstrate Defendants have previously raised  
13 the argument. The Statement merely states the Court dismissed the Complaints for  
14 violating Rule 8. (Defendant's Statement at 4:1-2). Therefore, Plaintiff's alleged  
15 facts are subject to a reasonable dispute and cannot be judicially noticed.

16 **IV. The Request for Sanctions, Discovery, and Other Prohibitions Have No**  
17 **Basis in Law or Fact**

18 Again, Plaintiff based his request for sanctions, discovery, and other  
19 prohibitions on an obvious misrepresentation. Thus, his requests cannot be accepted.

20 Plaintiff made two requests for the Court to prohibit Defendants from further  
21 re-litigating Rule 8 compliance issues and to prohibit Defendants from including  
22 Rule 8 arguments in future objections and pleadings. Plaintiff cited to an authority in  
23 which he stated the court held that a failure to object to a Magistrate's finding  
24 precludes further challenge. (Plaintiff's Motion at 10:24-25.) While Defendants do  
25 not dispute that they did not object to the Magistrate Judge's most recent report and  
26 recommendation, Plaintiff's motion implies that the Court should prohibit  
27 Defendants from arguing that his future Amended Complaints do not comply with  
28

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1 Rule 8. Such a request is outlandish and Plaintiff cannot provide any authority for  
2 the Court to make such a ruling.

3 Plaintiff also argues that the Court should order discovery to commence and  
4 that Defendants be ordered to comply with Plaintiff's discovery requests. Notably,  
5 Plaintiff has not circulated any discovery requests which would obligate a response,  
6 nor could he as the pleadings are not even at issue yet. Defendants have a right to  
7 request for dismissal of any future amended complaints. Plaintiff has provided no  
8 authority that discovery is permitted during the stage.

9 Furthermore, the Magistrate Judge's most recent ruling specifically stated  
10 "Under Rule 26(d) of the Federal Rules of Civil Procedure, no party may seek  
11 discovery from any source before the Rule 26(f) conference, unless such discovery  
12 is authorized by a court order." (Court's Minute Order in Chambers, Docket No.  
13 235). There is also no good cause to authorize and/or order early discovery.  
14 Plaintiff's Third Amended Complaint has been recommended to be dismissed so  
15 ordering discovery at this stage would be premature.

16 The motion, like Plaintiff's past motion, includes an improper request for  
17 sanctions. Plaintiff did not identify sanctionable conduct and did not file a properly  
18 noticed motion seeking sanctions against Defendants. As stated previously, Plaintiff  
19 based his request for sanctions on a sentence which is not included in Defendants'  
20 Statement. Thus, his request has no support in fact or law. In fact, Plaintiff is the  
21 only party to have engaged in bad faith as he seeks sanctions on a clear fabrication.

22 Plaintiff also asks the Court to order Defendants to engage in good faith pre-  
23 trial coordination. Plaintiff's motion does not include any authority which would  
24 require Defendants to engage in the coordination, nor does it identify conduct by  
25 Defendants which would indicate they have failed to act in good faith. There has  
26 been no order or Local Rule which required Defendants to engage in pre-trial  
27 coordination at this stage.

Thus, each and every one of Plaintiff's request for Court orders should be denied.

**V. Conclusion**

Based on the foregoing, Defendant respectfully request the Court deny Plaintiff's motion and the requests included therein.

DATED: March 27, 2025

HAIGHT BROWN & BONESTEEL LLP

By: /s/ Jeffrey Kirwin

Yvette Davis

Arezoo Jamshidi

Jeffrey Kirwin

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**PROOF OF SERVICE**

Hill v. The Board of Directors, Officers, et al.

Case No. 2:23-cv-01298-JLS-CFM

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 2030 Main Street, Suite 1525, Irvine, CA 92614.

On March 27, 2025, I served true copies of the following document(s) described as **OPPOSITION TO PLAINTIFF'S NOTICE OF PROCEDURAL MISREPRESENTATION, BAD FAITH LITIGATION, AND REQUEST FOR JUDICIAL NOTICE** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 27, 2025, at Irvine, California.

/s/ Cindy Mulder

Cindy Mulder



**SERVICE LIST**  
**Hill v. The Board of Directors, Officers, et al.**  
**Case No. 2:23-cv-01298-JLS-CFM**

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